

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

U.S. Bank National Association, as
indenture trustee, for the holders of the
CIM Trust 2021-NR3, Mortgage-Backed
Notes, Series 2021-NR3

Plaintiff

vs.

Hildegard Anderson a/k/a Hildegard
Anderson a/k/a Hildegard D. Anderson
and Jeffrey M. Kennedy Anderson a/k/a
Jeffrey M. Anderson

Defendants

Midland Funding LLC
LVNV Funding LLC
Synchrony Bank f/k/a GE Money Bank

Parties-in-Interest

CIVIL ACTION NO: 2:19-cv-00505-JDL

RE: VACANT REAL PROPERTY
19 Mill Street, Springvale, ME 04083

Mortgage:
December 27, 2005
Book 14717, Page 666

JUDGMENT OF FORECLOSURE AND SALE

Address: 19 Mill Street, Springvale, ME 04083
Mortgage: December 27, 2005, Book: 14717, Page: 666

This matter came before the Court pursuant to the Default entered on March 4, 2021, against each of the named Defendants and Parties-in-Interest [ECF 42], Fed.R.Civ. P.55(b), this Court's Procedural Orders dated May 10, 2021 [ECF 46, 47], and the General Orders in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) in accordance with the *Pandemic/Infectious Disease Plan for the United States District Court for the District of Maine*. (March 2020).

Plaintiff, U.S. Bank National Association, as indenture trustee, for the holders of the CIM Trust 2021-NR3, Mortgage-Backed Notes, Series 2021-NR3 ("U.S. Bank"), was represented by Reneau J. Longoria, Esq. None of the Defendants or other Parties appeared or opposed Plaintiff's

Motion for Default Judgment of Foreclosure and Sale.

All persons interested having been duly notified in accordance with the law, and after consideration of the Affidavits with supporting documentary evidence and Memorandum of Law in Support of Plaintiff's Motion for Default Judgment on Documentary Evidence, the Plaintiff's Motion for Default Judgment of Foreclosure and Sale is **GRANTED**. Count II – Breach of Loan Repayment and Security Agreement, Count III – Breach of Contract, Money Had and Received, Count IV – Quantum Meruit, and Count V – Unjust Enrichment are hereby **DISMISSED** without prejudice at the request of the Plaintiff.

JUDGMENT on Count I – Foreclosure and Sale is hereby **ENTERED** as follows:

1. If the Defendants or their heirs or assigns pay U.S. Bank National Association, as indenture trustee, for the holders of the CIM Trust 2021-NR3, Mortgage-Backed Notes, Series 2021-NR3 (“U.S. Bank”) the amount adjudged due and owing as of July 22, 2021 (attorney's fees and deficiency are waived) (\$167,845.89) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, U.S. Bank shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a breakdown of the amount due and owing:

Description	Amount
Principal Balance	\$101,366.83
Interest	\$24,925.62
Escrow/Impound Required	\$20,316.95
Late Fees	\$30.00
Total Advances	\$21,206.49
Grand Total	\$167,845.89

2. If the Defendants or their heirs or assigns do not pay U.S. Bank the amount adjudged due and owing (\$167,845.89) within 90 days of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, their remaining rights to possession of

the Springvale Property shall terminate, and U.S. Bank shall conduct a public sale of the Springvale Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds, first to itself in the amount of \$167,845.89 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S.A. § 6324. U.S. Bank may not seek a deficiency judgment against the Defendants pursuant to the Plaintiff's waiver of deficiency in its Motion.

3. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk, if requested, shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal
4. The amount due and owing is \$167,845.89 as of July 22, 2021.
5. The priority of interests is as follows:
 - U.S. Bank National Association, as indenture trustee, for the holders of the CIM Trust 2021-NR3, Mortgage-Backed Notes, Series 2021-NR3 has first priority, in the amount of \$167,845.89, pursuant to the subject Loan Repayment and Security Agreement (“LRSA”) and Mortgage.
 - Synchrony Bank f/k/a GE Money Bank who has been defaulted.
 - Midland Funding LLC who has been defaulted.
 - LVNV Funding LLC who has been defaulted.
 - Hildegard Anderson a/k/a Hildegard Anderson a/k/a Hildegard D. Anderson and Jeffrey M. Kennedy Anderson a/k/a Jeffrey M. Anderson who have been defaulted.
6. The pre-judgment interest rate is 6.98000%, see 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 6.09%, see 14 M.R.S.A. § 1602-C.
7. The following information is included in this Judgment pursuant to 14 M.R.S.A. §

2401(3):

	PARTIES	COUNSEL
PLAINTIFF	U.S. Bank National Association, as indenture trustee, for the holders of the CIM Trust 2017- 6, Mortgage-Backed Notes, Series 2017-6 425 Walnut St. Cincinnati, OH 45202	Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 303C Beverly, MA 01915
DEFENDANT		
	Hildegard Anderson a/k/a Hildegard Anderson a/k/a Hildegard D. Anderson 8 Porter Settlement Road Houlton, ME 04730	Defaulted Pro Se
	Jeffrey M. Kennedy Anderson a/k/a Jeffrey M. Anderson 8 Porter Settlement Road Houlton, ME 04730	Defaulted Pro Se
PARTIES-IN-INTEREST		
	LVNV Funding LLC c/o Corporation Service Company, 45 Memorial Circle Augusta, ME 04330	Defaulted Pro Se
	Midland Funding LLC c/o Corporation Service Company, 45 Memorial Circle Augusta, ME 04330	Defaulted Pro Se
	Synchrony Bank f/k/a GE Money Bank 170 West Election Road, Suite 125 Draper, UT 84020	Defaulted Pro Se

a) The docket number of this case is 2:19-cv-00505-JDL.

- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 19 Mill Street, Springvale, ME 04083 is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 19 Mill Street, Springvale, ME 04083. The Mortgage was executed by the Defendants, Hildegard Anderson a/k/a Hildegard Anderson a/k/a Hildegard D. Anderson and Jeffrey M. Kennedy Anderson a/k/a Jeffrey M. Anderson, on December 27, 2005. The book and page number of the Mortgage in the York County Registry of Deeds is **Book 14717, Page 666**.
- e) This Judgment shall not create any personal liability on the part of the Defendants, but shall act solely as an *in rem* judgment against the property, 19 Mill Street, Springvale, ME 04083.

SO ORDERED.

Dated: August 24, 2021

/s/ Jon D. Levy
CHIEF U.S. DISTRICT JUDGE